

5 DEC 1975

MEMORANDUM FOR: Deputy Director for Administration
FROM : Director of Security
SUBJECT : Department of Labor Evaluation Report
on CIA Occupational Safety and Health
Program

1. Action Requested: It is requested that you sign the attached letter to the Secretary of Labor.
2. Basic Data and Background: The Occupational Safety and Health Administration of the Department of Labor conducted an evaluation of the Agency's Occupational Safety and Health Program and subsequently provided this Agency with an Evaluation Report containing Recommended Actions. In a letter accompanying the Evaluation Report, the Secretary of Labor requested that he be advised of the Agency's plan to implement the recommendations.
3. Staff Position: The Agency Safety Committee and the Offices of Medical Services, Logistics, Personnel and Security have reviewed the Evaluation Report and Recommendations and have prepared the attached response.
4. Recommendation: It is recommended that you sign the attached letter forwarding the Agency response to the Evaluation Report of the Agency's Occupational Safety and Health Program.

[Redacted Signature Box]

Robert W. Gambino
Director of Security

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Att

OS 50022-A

SUBJECT: Department of Labor Evaluation Report
on CIA Occupational Safety and Health
Program

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ROUTING AND RECORD SHEET

SUBJECT: (Optional) Department of Labor Evaluation Report on CIA Occupational Safety and Health Program			
FROM: Director of Security		EXTENSION	NO. STAT
			DATE 5 DEC 1975
TO: (Officer designation, room number, and building)	DATE		OFFICER'S INITIALS
	RECEIVED	FORWARDED	
1. A-DD/A	8 DEC 1975		<p>The attached response to the Secretary of Labor has been eleven months in preparation. We have delayed the response in an effort to provide as many positive answers as possible. We succeeded in some areas, such as writing a new Safety and Health Regulation in coordination with OMS. We failed in others, such as attempting to identify an individual from within our ranks who would meet the CSC requirements for an Industrial Hygienist.</p> <p>We have discussed this report through our normal Safety Staff liaison with the Department of Labor and they are happy with our response. During the course of these discussions, we discovered that we are the second agency in the government to respond to their audit.</p>
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SEP 1975

The Honorable John T. Dunlop
The Secretary of Labor
Washington, D.C. 20210

Attention: Office of Federal Agency Safety Programs,
Occupational Safety and Health Adminis-
tration

Dear Mr. Secretary:

A review of the recommendations by the representatives of the Occupational Safety and Health Administration, based on their initial evaluation of this Agency's occupational safety and health program, has been completed. Forwarded herewith is our response to such recommendations.

Sincerely,

/s/ John F. Blake


John F. Blake
Deputy Director
for
Administration

Enclosure

SUBJECT: Department of Labor Evaluation Report
on CIA Occupational Safety and Health
Program

ORIGINATOR:

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Robert W. Gambino
Director of Security

5 Mar 75
Date

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The following actions have been taken by the Central Intelligence Agency as a result of the evaluation review conducted by Office of Federal Agency Safety Programs, Occupational Safety and Health Administration, Department of Labor, Washington, D.C. These responses are keyed sequentially to the "Recommended Actions" in the above report.

1. RECOMMENDED ACTION NO. 1 - Revise and reissue the Agency's "Occupational Safety and Health Regulations" under a title and series number which will clearly delineate the major role occupational safety and health considerations have in the success of day-to-day activities.

RESPONSE - We have reviewed our regulations and have revised them along the more definitive guidelines of the Occupational Safety and Health Act. These revised regulations are in the process of being published. We intend to remove them from the Security regulations and place them in a separate series entitled 'Safety and Health Program' in order to ensure visibility and provide proper emphasis.

2. RECOMMENDED ACTION NO. 2 - Emphasize throughout the revised regulations a policy commitment that line managers, supervisors and other persons who make work assignments direct to individuals are responsible for the safety and health conditions, practices and procedures utilized within their managerial span of control. (Making acceptance of responsibility for occupational safety and health a factor in job performance reviews for both supervisors and employees will help improve the Agency's day-to-day activities.)

RESPONSE - Our revised Safety regulations contain a policy commitment that all individuals who make work assignments will be responsible for the safety and health practices, conditions and procedures that

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attend to those work assignments. We further intend to include in revised Personnel regulations the requirement for supervisory comment on the safety and health performance of those employees whose activities make such comment appropriate.

3. RECOMMENDED ACTION NO. 3 - Combine and reorganize the safety and health functions as a single unit reporting directly and exclusively to the Deputy Director for Administration and assign and hire qualified personnel who can provide the following:
 - a. Professional "Safety" expertise to assist in program development and administration.
 - b. Professional "Industrial Hygiene" expertise to assist in exposure recognition and development of program actions.
 - c. Professional health services as presently provided.

RESPONSE - The Deputy Director for Administration has assumed the role of Safety and Health Official for the Central Intelligence Agency. The Agency's safety and health personnel report through the Office of Security and the Office of Medical Services command channels to the Deputy Director for Administration. We will continue to use a Safety Committee as a mechanism to assure cooperation and coordination on safety and health matters. The membership of this committee includes the Agency Safety Officer, who is appointed by the Deputy Director for Administration, along with representatives from the Staff of the Director of Central Intelligence, each of the four major Directorates, and the Offices of Medical Services, Logistics, Security and Personnel. We have also identified an officer in each of our office components who will monitor, inspect and report on safety and health conditions and who will obtain his advice and guidance from the Safety Officer.

- a. This Agency has in its employ seven professional employees who can provide the "Safety" expertise to assist in program development and administration.
 - b. The Agency is well aware of the need for "Industrial Hygiene" expertise. We are examining all possible courses of action in an effort to provide that expertise.
 - c. Professional health services will continue to be provided by the Office of Medical Services.
4. RECOMMENDED ACTION NO. 4 - Prohibit, by regulation, the delegation of line management responsibility for safety and health functions and activities to safety and health "staff" or "collateral duty" personnel. In effect, assure protection of the concept "safety is a function of command."

RESPONSE - We have rewritten our regulations to make safety and health a responsibility of line management.

5. RECOMMENDED ACTION NO. 5 - Develop a coordinated set of training activities designed to deliver:
- a. Management personnel trained to accept safety and health responsibilities which are inherent in the operations under their span of control.
 - b. Operational policies, procedures, facilities, equipment, supplies and materials which reflect the safety and health of employees and the public are prime considerations in the day-to-day operational decisions necessary to accomplish the "mission."
 - c. Employees who have been trained to question the safety and health exposure to themselves and/or the public before beginning any operation not specifically designated as an accepted "assumed risk assignment."

RESPONSE - This Agency is presently following the development of the pilot program under OSHA direction for the safety training of supervisors. We intend to use that pilot program to develop a safety training course within our Office of Training for supervisors. We have developed an indoctrination program for all new employees, and are developing an appropriate training program for component safety officers.

6. RECOMMENDED ACTION NO. 6 - Develop, publish and distribute safety and health literature which:
 - a. Promotes the Agency's image of having a real concern for people.
 - b. Deals with hazards and/or hazardous exposures in terms of the Agency's operation, rather than some problem to which the employee has difficulty relating to his job function.

RESPONSE - We have examined this recommendation and feel that we currently have a good program of distribution of commercial and government safety literature which is relevant to Agency operations. We distribute pamphlets to some 48 locations in the metropolitan area of Washington on a monthly basis and have a quarterly program for overseas locations.

7. RECOMMENDED ACTION NO. 7 - Reinforce, through management directives, the regulations which require prior consultation with the Safety and Health Staff on purchases of supplies, equipment, materials and construction or leasing of facilities to ensure compliance with appropriate safety and health standards. (Agency adopted specifications, based on appropriate safety and health standards, can be enforced on virtually all suppliers provided the specifications are written into the contracts, agreements and purchase orders, and acceptance tests are required prior to an authorization for payment.)

RESPONSE - Inasmuch as CIA procurement is operated generally in accordance with the Armed Services Procurement Regulations (ASPR) and, in fact, utilizes standard ASPR clauses in its contracts, the Agency will plan to incorporate a standard ASPR clause implementing OSHA at such time as a clause is promulgated by the ASPR Committee. Regulations have been revised to formalize in writing our current practice of safety and health consultation prior to entering into real estate or construction requirements.

8. RECOMMENDED ACTION NO. 8 - Review the accident investigation reporting and analyses procedures in order to ensure the accomplishment of the following objectives:
- a. Determination of the "preventable or controllable" nonhuman element which caused the malfunction or accident.
 - b. Action at all appropriate management levels to achieve elimination or control of the identified hazardous element and thereby prevent or reduce the chance for a recurrence.
 - c. Identification of all human malfunctions which result in accidents, injuries, illnesses or exposure of the Agency, to tort liability in terms of needs for training, and take action to provide appropriate training without ridicule of employee involved.
 - d. Exploration of statistical analyses techniques in order to provide for dissemination of more meaningful data regarding accidents, injuries and illnesses.

RESPONSE - In view of this item, all actions recommended are being accomplished except recommended action 8, objective d. This

recommendation is being examined to give us greater insight into the use of different statistical analyses techniques and what they can do for us. In the meantime, we would appreciate any exemplars that may have been received from other government agencies that might demonstrate the uses of this recommendation.

9. RECOMMENDED ACTION NO. 9 - Review the term "inspection" as used in the Agency's regulations in order to ensure compliance with the provisions of 29 CFR 1960.

RESPONSE - We have reviewed the term "inspection" as used in the Agency regulations and feel that our system complies with the provisions of 29 CFR 1960.

10. RECOMMENDED ACTION NO. 10 - Establish, by regulations, procedures appropriate for the Agency whereby employees may provide:

- a. Input on matters involving safety and occupational health.
- b. Feedback as to the effectiveness of action(s) taken to comply with the Agency's adopted standards.

RESPONSE - We have revised our regulations to assure that the employee has the opportunity to provide input and feedback on matters involving safety and occupational health. We have also found our active employee suggestion program to be a fertile source of safety and health input and feedback from our employees.

15-1199/2A

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

27 JAN 1975

The Honorable Peter J. Brennan
The Secretary of Labor
Washington, D. C. 20210

Dear Mr. Secretary:

Please be advised that I am in receipt of your letter dated 30 December 1974, and the Evaluation Report of the Central Intelligence Agency's Occupational Safety and Health Program.

I wish to assure you of the continual cooperation of the Agency in providing safe and healthful working conditions for employees. In this regard, I have instructed our Deputy Director for Administration to review the recommended actions developed by the Occupational Safety and Health Administration. Upon completion of this review and in accordance with your request, we will advise you regarding our plans to implement the recommended actions.

Sincerely,

/s/ W. E. Colby

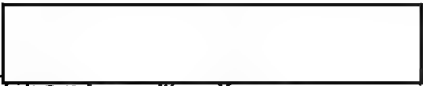
W. E. Colby
Director



SUBJECT: Department of Labor Evaluation Report
CIA Safety and Health Program

ORIGINATOR:


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Charles W. Kane
Director of Security

21 Jan 1975
Date

CONCURRENCE:

STAT


JOHN F. BLAKE
Deputy Director
for
Administration

20 Jan 75
Date

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Rewritten: WEColby
Retyped : EO-DD/A:der (24 January 1975)

DD/A 75-0033

U. S. DEPARTMENT OF LABOR
OFFICE OF THE SECRETARY
WASHINGTON

Executive Registry

74-1199/2

DEC 30 1974

Honorable William Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

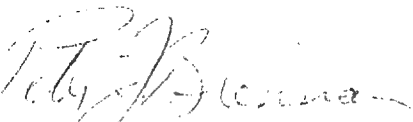
The Occupational Safety and Health Administration of the Department of Labor conducted an initial evaluation of the Central Intelligence Agency's Occupational Safety and Health Program during the period of May 22-24. The evaluation was performed in accordance with Executive Order 11612, issued July 26, 1971. However, to assist your Agency with developments since that time, Executive Order 11807, issued September 28, and 29 CFR 1960 Safety and Health Provisions for Federal Employees, have been utilized in the preparation of the report.

A conference was held with Mr. Jack Blake, Deputy Director for Administration, and his staff on October 17 during which the enclosed report was discussed by Mr. Gerard F. Scannell, Director, Office of Federal Agency Safety Programs. Mr. Scannell was assisted by a member of his staff who conducted the evaluation.

We believe the Central Intelligence Agency has an opportunity to assume a leadership position in the Federal Government's occupational safety and health programing effort. However, to achieve such a leadership position, we also believe the report's recommended actions should receive your personal consideration and support.

We would appreciate being advised of your plans to implement the recommended actions.

Sincerely,



Secretary of Labor

Enclosure

EVALUATION REPORT
ON
OCCUPATIONAL SAFETY AND HEALTH PROGRAMMING
ESTABLISHED AND OPERATED
BY THE
CENTRAL INTELLIGENCE AGENCY

EVALUATION REVIEW
CONDUCTED
BY
U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
OFFICE OF FEDERAL AGENCY SAFETY PROGRAMS

MAY 22-24, 1974

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APPENDIX I

- . Occupational Safety and Health Act
- . Executive Order 11807 issued September 28, 1974
- . Safety and Health Provisions for Federal Employees
(Part 1960 - Federal Employees)

* Executive Order 11807 supersedes Executive Order 11612 which was in effect at the time this evaluation was conducted. However, this renewed emphasis by President Ford make the contents of the report even more meaningful.

PURPOSE

The purpose of this initial evaluation was to:

1. Determine the progress made by the Central Intelligence Agency to establish and operate an effective occupational safety and health program in accordance with the provisions of Section 19 of the Occupational Safety and Health Act and Executive Order 11612, superseded by Executive Order 11807, issued September 28, 1974.
2. Consult with Central Intelligence Agency officials regarding program element activities which appear to need improvement.

SCOPE OF REVIEW

The review was conducted partially at the Agency's headquarters in McLean, Virginia, [REDACTED]

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The evaluation consisted of document review and discussions related to the administrative functions of the Agency's safety and health program which are conducted under the direction of the Deputy Director for Administration. Although a brief informal tour of the Agency's Medical Clinic was included, no detailed inspection of Agency facilities was intended or conducted.

EVALUATION CRITERIA

An eight element guide, developed and approved by the Federal Safety Advisory Council*, was used to provide a basis for the evaluation review.

The eight elements covered by the review guide include:

1. Administration
2. Training
3. Promotion
4. Research and Engineering
5. Investigation, Reporting and Analysis
6. Inspections
7. Standards
8. Committee Activities

*Executive Order 11807, September 28, 1974, changed the name to:
Federal Advisory Council on Occupational Safety and Health.

SUMMARY STATEMENT

The Central Intelligence Agency has established and is maintaining a program of occupational safety and health policies and activities which it hopes will meet the needs of the Agency and comply with the Occupational Safety and Health Act of 1970. However, these policies, procedures, and activities appear to have more or less evolved over a period of time rather than being the product of planning as mandated by the Occupational Safety and Health Act and Executive Order.

The "Agency's" concept of safety and health, at least in the past, appears to have been one of responding to accident problems rather than a planned elimination or control of hazards and hazardous exposures to prevent accidents, injuries, and/or illnesses.

This conceptual view of safety and health may very well be a spin off from organizational placement. Supervision by professionals whose qualifications and interests are in fields other than safety and health appears to create some difficulty with recognition of the potential for accidents, injuries, and/or occupational illnesses.

The overall net effect appears to have produced a safety and health program in which managers have been relieved of their inherent responsibility for safe and healthful work environments and work practices.

PROGRAM ELEMENT CONCLUSIONS

The conclusions reached with respect to the effectiveness of the present program, as it relates to the eight review guide elements, are as follows:

1. Administration--the safety and health maintenance functions, although both located within the Directorate of Administration, nevertheless, are limited in their effectiveness due to:
 - a. Lack of a clear cut management policy which places safety and "occupational" health policy documents in a priority category which requires action by all Directorates.
 - b. Lack of "occupational" health expertise, as expressed by the term Industrial Hygiene. This special field of expertise is oriented primarily toward the elimination, reduction, or control of environmental exposures rather than to a "health maintenance-patient care" type program.

(The present medical staff is of the highest quality and dedication, and the Agency's "health maintenance-patient care" program is considered to be outstanding. However, the background and experiences of the medical staff are oriented more toward the "health maintenance-patient care" approach rather than the prevention or control of hazardous exposures.)

- c. Organizational placement of the present safety and health functions are at different levels in two different offices and do not constitute a coordinated "occupational" safety and health function headed by a qualified professional with direct access to the Agency's top management.
 - d. Regulations, reports, memoranda, and other items related solely to "occupational" safety and health matters are often submerged under misleading identification headings; e.g., Security and Medical.
2. Training - The Agency engages in a number of training sessions based on selected goals which are in turn designed to remedy a problem in a localized area or operation. However, these training activities do not appear to be a coordinated program designed to meet the varying needs for:
- a. Occupational Safety and Health Orientation of:
 - 1. Management Officials
 - 2. Supervisory employees
 - (a) Hired from outside of the Agency and/or Government
 - (b) Promoted from within the Agency
 - 3. Employees
 - (a) New hire professional specialists
 - (b) New hire trainees

-6-

- b. Training for Control of "New" Safety and Health Exposures
occasioned by:
 - (1) Recognition/Discovery of a new operational hazard
or exposure
 - (2) A change in CIA policy, procedure, etc.
 - (3) Development of a new control technology
- c. Professional Expertise Training for Safety and Health Staff
Personnel. Note: While the Agency has an outstanding record
for approving requests for such training, the need for
continuation into the future makes it appropriate to include a
brief outline of the essentials, as follows:
 - (1) Participation in professional society affairs; e. g.,
meetings, conferences, short courses, etc.
 - (2) Participation in Federal safety council affairs
 - (3) Encouragement to seek appropriate professional
designation/recognition
- 3. Promotion- The promotional activities generally follow the themes
endorsed by the Federal Safety Advisory Council and make use of
materials purchased from suppliers such as the National Safety Council.
Development of materials designed specifically for the Agency's
employees, however, appears to be beyond the scope of the present
safety and health staffs assigned resources.

4. Research and Engineering - Procedures for a safety and health staff review of all plans and specifications on new construction, replacement of equipment, and repair operations have been established. However, it appears that unless the safety and health staff makes frequent contacts to check on such activities, the procedure would not function effectively.
- 5a. Accident Investigation - Accident investigation reports, although limited to the more serious incidents, are detailed as to time, place, events, personnel involved, and causal factors, but the recommended actions do not appear to be consistently structured to assure prevention or control of incident recurrence.
- b. Accident Reporting and Analysis - Reporting procedures, although subject to normal procedural problems, appear to provide ample data for analytical purposes. The utilization of statistical analysis techniques, however, which could possibly provide for improved communications, have not been explored in detail due to lack of resources.
6. Inspections - To adequately accomplish the inspection function, within the Agency's operations, a re-appraisal of the exposures involved will be necessary for all levels of management and supervision. Training designed to insure full implementation of the inspection function will also be necessary.
7. Standards - The activity in this area has been commendable to date, however, current procedures for dissemination within the

Agency will require modification. (The Occupational Safety and Health Act requires that employees have ready access to the standards.)

8. Committees - The Agency's management level safety committee, although established by position titles in the current regulations, has apparently not functioned as an active committee for some time. There are other committees in the Agency at various out-lying locations, however, little is known about their effectiveness since reports of activities are not forwarded to the safety staff.

RECOMMENDED ACTIONS

The following recommended actions, while based essentially on the Program Element Conclusions listed in the report, are more primarily concerned with the concept that occupational safety and health is essential to the success of day to day activities. We hope they will be accepted by the Central Intelligence Agency more as constructive suggestions for improved operations than as criticism which has been imposed by the provisions of the OSH Act.

1. Revise and re-issue the Agency's "Occupational Safety and Health Regulations" under a title and series number which will clearly delineate the major role occupational safety and health considerations have in the success of day-to-day activities.
2. Emphasize throughout the revised regulations a policy commitment that line managers, supervisors, and other persons, who make work assignments direct to individuals, are responsible for the safety and health conditions, practices, and procedures utilized within their managerial span of control. (Making acceptance of responsibility for occupational safety and health a factor in job performance reviews for both supervisors and employees will help improve the Agency's day-to-day activities. (Ref. 29 CFR 1960.19)
3. Combine and reorganize the safety and health functions as a single unit reporting directly and exclusively to the Deputy Director for Administration and assign or hire qualified personnel who can provide the following:

- a. Professional "Safety" expertise to assist in program development and administration.
- b. Professional "Industrial Hygiene" expertise to assist in exposure recognition and development of recommended program actions.
- c. Professional health services as presently provided.

Note: This recommended action is an attempt to present, objectively, an organizational approach which we believe can achieve the results required. We recognize that the Agency may prefer to utilize an alternate approach but in so doing should strive to provide leadership by professional personnel with appropriate expertise. (Ref. 29 CFR 1960.16.)

4. Prohibit, by regulation, the delegation of line management responsibility for safety and health functions and activities to safety and health "staff" or "collateral duty" personnel. In effect, assure protection of the concept "safety is a function of command."
5. Develop a coordinated set of training activities designed to deliver:
 - a. Management personnel trained to accept safety and health responsibilities which are inherent in the operations under their span of control.
 - b. Operational policies, procedures, facilities, equipment, supplies, and materials, which reflect the safety and health of employees and the public is a prime consideration in the day-to-day operational decisions necessary to accomplish the "mission."

- c. Employees who have been trained to question the safety and health exposures to themselves and/or the public before beginning any operation not specifically designated as an excepted "assumed risk assignment."
- 6. Develop, publish, and distribute safety and health literature which:
 - a. Promotes the Agency's image of having a real concern for people.
 - b. Deals with hazards and/or hazardous exposures in terms of the Agency's operations rather than some problem to which the employee has difficulty relating to his job function.
- 7. Re-inforce, through management directives, the regulations which require prior consultation with the safety and health staff, on purchases of supplies, equipment, materials, and construction or leasing of facilities to insure compliance with appropriate safety and health standards. (Agency adopted specifications, based on appropriate safety and health standards, can be enforced on virtually all suppliers provided the specifications are written into the contracts, agreements, and purchase orders and acceptance tests are required prior to an authorization for payment.)

8. Review the accident investigation reporting and analyses procedures in order to insure the accomplishment of the following objectives:
 - a. Determination of the "preventable or controllable" non-human element which caused the malfunction or incident.
 - b. Action at all appropriate management levels to achieve elimination or control of the identified hazardous element and thereby prevent or reduce the chance for a recurrence.
 - c. Identification of all human malfunctions, which result in accident, injuries, illnesses, or exposure of the Agency to tort liability in terms of needs for training and take action to provide appropriate training without ridicule of employee involved.
 - d. Exploration of statistical analysis techniques in order to provide for dissemination of more meaningful data regarding accidents, injuries, and illnesses.
9. Review the term "inspection" as used in the Agency's regulations in order to ensure compliance with the provisions of 29 CFR 1960.
10. Establish, by regulations, procedures, appropriate for the Agency, whereby employees may provide:
 - a. Input on matters involving safety and occupational health.
 - b. Feedback as to the effectiveness of action(s) taken to comply with the Agency's adopted standards.

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